# **EXECUTIVE SUMMARY - ENFORCEMENT MATTER**

Page 1 of 2

**DOCKET NO.:** 2006-1587-DCL-E **TCEQ ID:** RN105024178, RN104994819, and RN103960852

**CASE NO.:** 31166

RESPONDENT NAME: Katy Crystal Cleaners, Inc. dba Gap Cleaners

ORDER TYPE:						
X 1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING				
FINDINGS DEFAULT ORDER	_SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER				
_AMENDED ORDER	_EMERGENCY ORDER					
CASE TYPE:						
ATR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE				
PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION				
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL				
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	X DRY CLEANER REGISTRATION				
SITE WHERE VIOLATION(S) OCCURE Highway 6 South, Suite F, Sugar Land, Fort 3")  TYPE OF OPERATION: Dry cleaning dro	RED: Gap Cleaners, 890 South Mason Road, Suite E Bend County ("Facility 2"); 11571 South Highway (	O, Katy, Harris County ("Facility 1"); 403 6, Sugar Land, Fort Bend County ("Facility				
SMALL BUSINESS: X Yes	No					
OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding these facility locations.						
INTERESTED PARTIES: No one other th	an the ED and the Respondent has expressed an inte	erest in this matter.				
COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on July 9, 2007. No comments were received.						
CONTACTS AND MAILING LIST:  TCEQ Attorney/SEP Coordinator: None  TCEQ Enforcement Coordinator: Mr. Harvey Wilson, Enforcement Division, Enforcement Team 3, MC 149, (512) 239-0321; Mr. David Van Soest, Enforcement Division, MC 219, (512) 239-0468  Respondent: Mr. Ali Pyar, President, Katy Crystal Cleaners, Inc., 890 South Mason Road, Suite D, Houston, Texas 77450  Respondent's Attorney: Not represented by counsel on this enforcement matter						

# RESPONDENT NAME: Katy Crystal Cleaners, Inc. dba Gap Cleaners

**DOCKET NO.:** 2006-1587-DCL-E

#### **VIOLATION SUMMARY CHART:** VIOLATION INFORMATION PENALTY CONSIDERATIONS CORRECTIVE ACTIONS TAKEN/REQUIRED Type of Investigation: Total Assessed: \$3,555 **Corrective Actions Taken:** Complaint 1) The Executive Director recognizes that X Routine Total Deferred: \$711 \_\_\_ Enforcement Follow-up X Expedited Settlement the Respondent completed and submitted the required registration form to the TCEO Records Review for Facility 3 on September 15, 2006. Financial Inability to Pay Date(s) of Complaints Relating to this Case: None SEP Conditional Offset: \$0 Ordering Provisions: Date of Investigation Relating to this Total Paid (Due) to General Revenue: \$711 2) The Order will require the Respondent Case: May 25, 26 and 30, 2006 (remaining \$2,133 due in 3 monthly payments of \$711 each) a. Within 15 days after the effective date of Dates of NOEs Relating to this Case: August 31, August 29 and September 1, this Agreed Order, complete and submit **Site Compliance History Classification** the required dry cleaner and/or drop 2006 (NOEs) X High X Average Poor station registration forms for Facilities 1 and 2; and Background Facts: These were routine Person Compliance History Classification investigations. Three violations were High X Average Poor b. Within 30 days after the effective date documented. of this Agreed Order, submit written Major Source: \_\_\_ Yes \_X No WASTE certification of compliance with Ordering Provision 2.a. Applicable Penalty Policy: September 2002 Failed to complete and submit the required registration form to the TCEQ for Facilities 1, 2, and 3 [30 Tex. ADMIN. CODE § 337.10(a) and TEX. HEALTH & SAFETY CODE § 374.102].

Page 1	of 4 07/11/07 H:\Agreed Orders\KatyCrystalCleaners\nc-GapCleaners\nt	PCWGap3.wb3	
	Penalty Calculation Worksheet (PCW)		
Policy Revision 2 (		PCW Revision May 1	9, 2005
<b>ICEQ</b>			1
	05-Sep-2006         13-Sep-2006         Screening       12-Sep-2006         EPA Due	ege per hannes or normalistic y monophisms who may not be suite. Unit is considerable for the	
RESPONDENT/FACIL			
	Katy Crystal Cleaners, Inc. dba Gap Cleaners		
Reg. Ent. Ref. No.			
Facility/Site Region	12-Houston < Major/Minor Source Mi	inor Source	<
CASE INFORMATION			1000
Enf./Case ID No.	No. of Violations 1	A.,	
Docket No.	2006-1587-DCL-E Order Type 16		<
Media Program(s)			
Multi-Media		nforcement Team 4	<
Admin. Penalty \$ Li	mit Minimum \$0 Maximum \$50		mental was an associated and associa
	Penalty Calculation Section	*	1111700001111
TOTAL BASE PEN	IALTY (Sum of violation base penalties)	Subtotal 1	\$1,185
	,		
ADJUSTMENTS (+	·/-) TO SUBTOTAL 1		. 0000000000000000000000000000000000000
Subtotals 2-7 are	obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.		
Compliance H		als 2, 3, & 7	\$0
Notes	The respondent has not had any other enforcement actions within the		- Inches
Notes	last five years.		
·		0.1.1.1	<b>*</b>
Culpability	No < 0% Enhancement	Subtotal 4	\$0
Notes	The respondent does not meet the culpability criteria.		
. [			
Good Faith Ff	fort to Comply 0% Reduction	Subtotal 5	\$0
Coou i dilli Li	Before NOV NOV to EDPRP/Settlement Offer		
Extraordinary			
Ordinary			
N/A	X (mark with a small x)	•	
Notes	The respondent does not meet good faith criteria.		•
140100	The respendent describer most good failt entertail		
		0.14.410	<u> </u>
Economic Be		Subtotal 6	\$0
	Total EB Amounts \$18 *Capped at the Total EB \$ Amount post of Compliance \$250		
Approx. Co	sst of Compliance \$\psi_250\$		
SUM OF SUBTOT	ALS 1-7 Fit	nal Subtotal	\$1,185
		·	
OTHER FACTORS	S AS JUSTICE MAY REQUIRE	Adjustment	\$0
Reduces or enhances the F	inal Subtotal by the indicated percentage. (Enter number only; e.g30 for -30%.)	<u> </u>	
, NI=4==			
Notes	·	·	
. '	Final Pena	alty Amount	\$1,185
OT 4 THE OF 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	T AD HIOTMENT	and Donalty	¢4 40F
STATUTORY LIM	II ADJUS I MEN I Final Asses	sed Penalty	\$1,185
DEFERRAL	20% Reduction	Adjustment	-\$237
	d Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)		, , , , , , , , , , , , , , , , , , ,

Deferral offered for expedited settlement.

\$948

Notes

**PAYABLE PENALTY** 

Screening Date 12-Sep-2006

#### Docket No. 2006-1587-DCL-E

**PCW** 

Respondent Katy Crystal Cleaners, Inc. dba Gap Cleaners

Case ID No. 31166

Policy Revision 2 (September 2002)
PCW Revision May 19, 2005

Reg. Ent. Reference No. RN105024178

Media [Statute] Drycleaner

Enf. Coordinator Cari-Michel La Caille

### **Compliance History Worksheet**

#### >> Compliance History Site Enhancement (Subtotal 2)

Component		Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
CO THE COMMON THE STOCK PRODUCT STATE AND THE STATE AND TH	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%.
Audits	Letters notifying the executive director of an Intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were	0	0%
Audits .	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
		nter Yes or No	
	Environmental management systems in place for one year or more	no	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	no	0%
Outer	Participation in a voluntary pollution reduction program	no	0%
i	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	no	0%

,	History Notes	The respondent has not had any other enfo	Percentage (Subtota	<del></del>	0%
>>	Compliance Histor	ry Summary	CONTROL OF THE CONTRO	The second secon	
	Average Perform	Type and the second sec	Adjustment Percentage	e (Subtotal 7)	0%
>>	Compliance Histor	ry Person Classification (Subtotal 7)			: -
	No	i <	Adjustment Percentage	e (Subtotal 3)	0%
>>	Repeat Violator (S	ubtotal 3)	,		
			Adjustment Percentage	e (Subtotal 2)	0%
	į te	deral government environmental requirements			

This violation Final Assessed Penalty (adjusted for limits)

\$1,185

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal			., .	0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0,	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Notes for AVOIDED costs				Madeministration of the control of t	an servenen un era når så så så så så så	i kan sin denar mengan mengende e de	i.
Approx. Cost of Compliance	\$250					TOTAL[	\$18

# **Compliance History**

Customer	/Respondent/Owner-Operator:	CN603075268	KATY	CRYSTAL CLEANER	RS, INC.	Classification: AVEF	≀AGE	Rating: 3.01
Regulated	l Entity:	RN105024178	GAP (	CLEANERS		Classification: AVEF DEFAULT	RAGE BY	Site Rating: 3.01
ID Numbe	er(s):	INDUSTRIAL AN GENERATION	ID HAZAI	RDOUS WASTE	EPA ID	,	Т	TXR000073098
Location:			D STE D,	KATY, TX, 77450		Rating Date: Septen	nber 01 06	Repeat Violator: N
TCEQ Re	gion:	REGION 12 - HO	USTON					
Date Com	pliance History Prepared:	September 06, 20	006					
Agency D	ecision Requiring Compliance History:	Enforcement	1					
Complian	ce Period:	September 06, 2	001 to Se	ptember 06, 2006				
TCEQ Sta	aff Member to Contact for Additional Info	ormation Regarding	this Com	oliance History				
Name:	Cari-Michel La Caille	Ph	ione:	512-239-1387		**************************************		
		Site C	omplia	nce History Comp	onents			
1. Has th	e site been in existence and/or operation	n for the full five yea	r complia	nce period?	Yes			
2. Has th	ere been a (known) change in ownership	o of the site during t	he compli	ance period?	No			
3. If Yes,	who is the current owner?			•	N/A			
4. if Yes	, who was/were the prior owner(s)?				N/A			
5. When	did the change(s) in ownership occur?				N/A			
Compo	nents (Multimedia) for the Site :							
Α.	Final Enforcement Orders, court judge	ements, and consen	t decrees	of the state of Texas	and the feder	al government.		•
	N/A							
В.	Any criminal convictions of the state o	f Texas and the fed	eral gove	rnment.		·		
υ.	N/A		Ü					
C	Chronic excessive emissions events.		•					
	N/A							
D.	The approval dates of investigations.	(CCEDS Inv. Track.	No.)					
	N/A 1 08/31/2006 (510603)					•		
E.	Written notices of violations (NOV). (C	CCEDS Inv. Track. N	No.)					
	N/A							
F.	Environmental audits.							
, ,	N/A							
G.	Type of environmental management	systems (EMSs).						
	N/A							
H.	Voluntary on-site compliance assessi	ment dates.						
	N/A							
l.	Participation in a voluntary pollution r	eduction program.						
	N/A							
J.	Early compliance.			•				
	N/A							
Sites O	utside of Texas							
	N/A							

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Page 1	1 of 4 07/11/0	7 H:\Agreed	Orders\KatyC	rystalCl	eanersl	nc-GapCleane	rs\PCWGap2.qpw	
	Pe	enalty Cal	culation	Work	shee	t (PCW)		
Policy Revision 2 (	(September 2002)						PCW Revision M	ay 19, 2005
ICEQ DATES Assigned	05-Sep-2006					·	1 py my in a	
	13-Sep-2006	Screening 1	2-Sep-2006	EP.	A Due	· · · · · · · · · · · · · · · · · · ·		
		non de suam con sers, ser e crises senses mercendad elle (Elle Elle Elle Elle Elle Elle Ell		A CONTROL OF THE PROPERTY OF		***	TO deliver make the Leave trade, the deliverable of the Leave and Otto and another trade of the Control of the	
RESPONDENT/FACIL	ITY INFORMAT Katy Crystal Cle		Can Cleaner	re				
Reg. Ent. Ref. No.		aners, mc. uba	Gap Cleane	15				
Facility/Site Region				<	Major/	Minor Source	Minor Source	<
A CHARLE AND A CHARLES AND AND A CHARLES AND				des ex execute		SECTION SECTION AND A SECTION AND A SECTION AND A SECTION ASSESSMENT AND A SECTION ASSESSMENT ASSES		
CASE INFORMATION Enf./Case ID No.		-		1	No	of Violations	[1	
	2006-1587-DCL			1	NO.	Order Type		<
Media Program(s)				<	Enf		Cari-Michel La Cail	
Multi-Media							Enforcement Team	
Admin. Penalty \$ Li	mit Minimum	\$0	Maximum	\$5	50	enconcernment more to the expression of	Andrew manufacture and anti-	
		Donalt	v Coloul	otion	Cool	ion		
		Penait	y Calcul	auon	Seci	.1011		
TOTAL BASE PEN	NALTY (Sum	of violation	hasa nana	altioe\			Subtotal 1	\$1,185
TOTAL BASE FER	AALII (Suiii	OI VIOIALIOII	base pena	aities			Cubicius 7	Ψ1,100
ADJUSTMENTS (+	+/-) TO SUBT	OTAL 1						
	obtained by multiply		Penalty (Subtota	al 1) by the	e indicate	d percentage.		
Compliance H	listory		0%	Enhance	ement	Sub	totals 2, 3, & 7	\$0
Notes	The responde	ent has not had			nt actio	ns within the		
	· .	la	st five years.					
							• • • • • • • • • • • • • • • • • • •	
Culpability	No .	<	0%	Enhance	ement		Subtotal 4	\$0
Notes	The r	espondent does	not meet the	e culpab	ility crite	eria.		
e de la companya de l	<u>L</u>						j	
Good Faith Ef	ffort to Comply		0%	Reduction	on		Subtotal 5	\$0
and the second of the second o	, -	NOV to EDPRP/Set	tlement Offer					
Extraordinary								
Ordinary N/A	· ,,	(magula with a small )	d					
IV/A		(mark with a small )					1	
Notes	The	e respondent do	es not meet	good fai	th criter	ia.		
Economic Be	nefit		0%	Enhance		•	Subtotal 6	\$0
	Total EB Amounts	\$18		*Cappe	ed at the	Total EB \$ Amoun	t ·	
Approx. Co	ost of Compliance	\$250						
SUM OF SUBTOT	ΔΙ S 1-7						Final Subtotal	\$1,185
SOWIOI SOBIOI	ALG 1-1						, mai oubtotai	4.,,
OTHER FACTORS	S AS JUSTIC	E MAY REQ	UIRE			].	Adjustment	\$0
Reduces or enhances the F				ber only; e	e.g30 fo	ı r -30%.)		
Notes								
Notes								
						Final P	enalty Amount	\$1,18
CTATUTODY LIM	IT AD IIIETW	IENT				Final Acc	essed Penalty	\$1,18
STATUTORY LIM	II ADJUSTIM	IEIN I				Fillal ASS	esseu reliaity	ψ1,10
DEFERRAL					20%	Reduction	Adjustment	-\$237
Reduces the Final Assesse	ed Penalty by the inc	licted percentage.	(Enter number o	nly; e.g. 2		1		

Deferral offered for expedited settlement.

\$948

Notes

**PAYABLE PENALTY** 

Screening Date 12-Sep-2006 Docket No. 2006-1587-DCL-E

Respondent Katy Crystal Cleaners, Inc. dba Gap Cleaners

Policy Revision 2 (September 2002)

**Case ID No.** 31166

Reg. Ent. Reference No. RN104994819

Media [Statute] Drycleaner

Enf. Coordinator Cari-Michel La Caille

PCW Revision May 19, 2005

#### **Compliance History Worksheet**

## >> Compliance History Site Enhancement (Subtotal 2)

Component		er Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
terre dan Santa dan	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement order without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and	Any non-adjudicated final court judgments or consent decrees containing denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	a 0	0%
Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denia of liability, of this state or the federal government	al Ö	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
A	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were	0	0%
Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	, '0	0%
		Enter Yes or No	
•	Environmental management systems in place for one year or more	no	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	no	0%
Outer	Participation in a voluntary pollution reduction program	no	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	no	0%

		e with, or offer of a produce ent environmental require	ct that meets future state or ements	no	0%	
	ata sit	A State of the second of the	Adjustment Per	centage (Su	btotal 2)	0%
>> Repeat Viola	ator (Subtotal 3)					
No	<		Adjustment Per	centage (Su	btotal 3)	0%
>> Compliance	History Person Cla	ssification (Subtotal 7)		ilitige in a transfer		0.150
Average I	Performer		Adjustment Per	centage (Su	btotal 7)	0%
>> Compliance	History Summary	華田第四周 世代第四個		Jan Sec. 191	OWN)	
Compliar History No	III I I DE RESDOI	ndent has not had any otl	ner enforcement actions withir	n the last five ye	ars.	
		Total Adiusti	ment Percentage (Si	ubtotals 2.	3. & 7)	0%

	Screening Date	2-Sep-2006 <b>Docket No.</b> 2	2006-1587 <b>-</b> DCL-E	PCW
		Katy Crystal Cleaners, Inc. dba Gap Cleaner	rs Policy Revi	sion 2 (September 2002
	Case ID No.		PCI	N Revision May 19, 200
₹eg.	Ent. Reference No.		* - 4	
	Media [Statute]			
	Enf. Coordinator			
	Violation Number	1 20 Tox Admin Codo 6	227 10(a)	1
	Primary Rule Cite(s)	30 Tex. Admin. Code § Tex. Health & Safety Cod		
	Secondary Rule Cite(s)	Tex. Health & dalety dod	10 3 07 4.102	
	Violation Description	The respondent failed to complete and sul form to the TCEQ for a dry cleaning ar		
			Base Penalty	\$5
•	Environmental, Pro	perty and Human Health Matrix Harm		
	Release	Major Moderate Minor		
₹	Actual			
	Potential		Percent	
	Programmatic Matr			
•	Falsification	Major Moderate Minor		
	T dismodition	X   Indicated the second to th	Percent 10%	
	Matrix Notes	100% of the rule requirement was not r	met.	
			Adjustment -\$45	
			Base Penalty Subtotal	
	Violation Events			
	Number of Violati	on Events 237		
	mark only one	daily X monthly quarterly	Violation Base Penalty	\$1,1
	mark only one use a small x	semiannual annual	Violation Base Femality	Ψ1,1
		single event		
		undred thirty-seven daily events are recomm r 1, 2005 deadline to the April 26, 2006 dea the TCEQ letter dated March 24, 200	dline established by	
	Economic Reposit		Statutory Limit Test	
	Economic Denemit	ED) IOI TIIIS VIOIATIOII	Glaiutory Little 1851	

This violation Final Assessed Penalty (adjusted for limits)

\$18

\$250

Approx. Cost of Compliance

# **Compliance History**

Customer/I	Respondent/Owner-Operator:	CN603075268	KATY CRYSTAL CLEA	NERS, INC.	Classification:	AVERAGE	Rating: 3.01
Regulated	Entity:	RN104994819	GAP CLEANERS		Classification: DEFAULT	AVERAGE BY	Site Rating: 3.01
ID Number	r(s):	INDUSTRIAL AN GENERATION	ID HAZARDOUS WASTE	EPA ID		7	ΓXR000073114
Location:			STE F, SUGAR LAND, T	ζ, 77478	Rating Date: S	September 01 06	Repeat Violator: N
TCEQ Reg	gion:	REGION 12 - HO	USTON				
Date Comp	pliance History Prepared:	September 06, 2	006				
Agency De	ecision Requiring Compliance History:	Enforcement					
Compliand	e Period:	September 06, 2	001 to September 06, 2006	3			
TCEQ Sta	ff Member to Contact for Additional Info	rmation Regarding	this Compliance History		,		
Name:	Cari-Michel La Caille	. Pt	none: 512-239-138	7			
		Site 0	Compliance History Co	omponents			
1. Has the	site been in existence and/or operation	for the full five yea	r compliance period?	Yes			
	re been a (known) change in ownership	o of the site during t	ne compliance period?	No			
3. If Yes, v	who is the current owner?			N/A			
4. if Yes,	who was/were the prior owner(s)?		•	N/A			
5. When	did the change(s) in ownership occur?			.N/A			
Compor	ents (Multimedia) for the Site :						
A.	Final Enforcement Orders, court judge	ments, and consen	decrees of the state of Te	xas and the feder	al government.		
	N/A						
	Any criminal convictions of the state of	f Toyas and the fed	aral government				
B.	N/A	rexas and the red	siai government.				
C.	Chronic excessive emissions events.						
· .	N/A						
D.	The approval dates of investigations. (	CCEDS Inv. Track.	No.)				
υ.	N/A 1 08/29/2006 (509426)						
	Written notices of violations (NOV). (C	CEDS Inv. Track	lo )				
E.	whiten notices of violations (NOV). (C	CEDS IIIV. Hack. I	10.)				
	N/A					•	
F.	Environmental audits. N/A						
G.	Type of environmental management is	systems (EMSs).					
	N/A						
Н.	Voluntary on-site compliance assessn	nent dates.					
	N/A			7			
1.	Participation in a voluntary pollution re	eduction program.					
	N/A						
J.	Early compliance.						
	N/A		•				
Sites Ou	tside of Texas						
	N/A						

Page 1	of 4 07/11/07 H:\Agreed Orders\KatyCrystalCleanersInc-GapCleaners	s\PCWGap1.wb3
	Penalty Calculation Worksheet (PCW)	
Policy Revision 2 (	September 2002)	PCW Revision May 19, 2005
ICEQ DATES Assigned	11-Oct-2006	
	11-Oct-2006	
DEODONDENT/EAOU	TV INCORMATION	
RESPONDENT/FACILI	Katy Crystal Cleaners, Inc. dba Gap Cleaners	
Reg. Ent. Ref. No.		
Facility/Site Region		Minor Source <
ANNESSE A PRESENT LINEARINE (MODELLA CIMILA POLICIA LA LA LA LA PARAMENARIA NA SERVICIA POLICIA LA	TEXAME ON TEXT OF THE PROPERTY	4.65311039
CASE INFORMATION		at Littleweigh
Enf./Case ID No.		
Docket No. 2 Media Program(s)	2006-1587-DCL-E Order Type or Control of the Coordinator of Coordi	Cari-Michel La Caille
Multi-Media	as and	Enforcement Team 4
Admin. Penalty \$ Lir	mit Minimum \$0 Maximum \$50	1925001
s and feed \$1,5 per region for instantion which is a recovery or per of the recovery event of the	A A A D A THE PROPERTY MAKENING	
	Penalty Calculation Section	
TOTAL BASE PEN	IALTY (Sum of violation base penalties)	Subtotal 1 \$1,185
AD HICTMENTS /	/ \ TO CURTOTAL 4	
	-/-) TO SUBTOTAL 1  obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.	Lillian or a second of the sec
Compliance H		otals 2, 3, & 7 \$0
	The respondent has not had any other enforcement actions within the	
Notes	last five years.	
_		and the state of t
Culpability	No < 0% Enhancement	Subtotal 4 \$0
Notes	The respondent does not meet the culpability criteria.	THE STATE OF THE S
	,	in a great and a g
Good Faith Ef	fort to Comply 0% Reduction	Subtotal 5 \$0
GOOG I AILII LI	Before NOV NOV to EDPRP/Settlement Offer	
Extraordinary		
Ordinary		vommintel
N/A	X (mark with a small x)	Markelli Harris
Nista	The respondent does not meet good faith criteria because registration for	WOODH ALL
Notes	the drop station facility was completed and submitted to the TCEQ after the initial settlement offer was received by the respondent.	HITTER WATER
L		· ·
Economic Bei	nefit 0% Enhancement*	Subtotal 6 \$0
. Т	Total EB Amounts \$13 *Capped at the Total EB \$ Amount	
Approx. Co	ost of Compliance \$250	· · · · · · · · · · · · · · · · · · ·
		*** -1 Cb4-4-1
SUM OF SUBTOT	ALS 1-/	inal Subtotal \$1,185
OTHER EACTORS	S AS JUSTICE MAY REQUIRE	Adjustment \$0
	inal Subtotal by the indicated percentage. (Enter number only; e.g30 for -30%.)	/ tajastinent
	That dubicial by the manager (miner hamser engry e.g. ee to	
Notes	·	
<b>.</b>	Final Pe	nalty Amount \$1,185
		10-16
STATUTORY LIMI	IT ADJUSTMENT Final Asse	essed Penalty \$1,185
DECEDRAL	2007 Padurtion	Adjustment -\$237
DEFERRAL  Reduces the Final Assessed	d Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)	Adjustillerit -\$237
Notes	Deferral offered for expedited settlement.	

\$948

PAYABLE PENALTY

Screening Date 11-Oct-2006 Docket No. 2006-1587-DCL-E

**PCW** 

Respondent Katy Crystal Cleaners, Inc. dba Gap Cleaners

Policy Revision 2 (September 2002) PCW Revision May 19, 2005

Case ID No. 31166 Reg. Ent. Reference No. RN103960852

Media [Statute] Drycleaner

Enf. Coordinator Cari-Michel La Caille

## **Compliance History Worksheet**

#### >> Compliance History Site Enhancement (Subtotal 2)

Component		nter Number Here	Adjust
11017	Written NOVs with same or similar violations as those in the current	O	0%
NOVs	enforcement action (number of NOVs meeting criteria)  Other written NOVs	الكندوسية	1
	1	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement ord without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	ers 0	0%
Judgments and	Any non-adjudicated final court judgments or consent decrees containing denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	g a 0	0%
Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a den of liability, of this state or the federal government	ial 0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
A	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were	0	0%
Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
		e Enter Yes or No	
	Environmental management systems in place for one year or more	no	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	no	0%
Other	Participation in a voluntary pollution reduction program	no	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	no	0%

	federal government environmental requirements		
		Adjustment Percentage (Subtotal 2)	0%
>>	Repeat Violator (Subtotal 3)		
	No	Adjustment Percentage (Subtotal 3)	0%
>>	Compliance History <i>Person</i> Classification (Subtotal 7)		
	Average Performer	Adjustment Percentage (Subtotal 7)	0%
>>	Compliance History Summary		
	Compliance History Notes  The respondent has not had any other enfo	rcement actions within the last five years.	
	Total Adjustment	Percentage (Subtotals 2, 3, & 7)	0%
	i Otal Aujustinent	reiceillage (Sublolais 2, 3, & 1)	U 70

Page 3 of 4 07/11/07 H:\Agreed Orders\KatyCrystalCleanersInc-GapCleaners\PCWGap1.wb3 **PCW** Screening Date 11-Oct-2006 Docket No. 2006-1587-DCL-E Respondent Katy Crystal Cleaners, Inc. dba Gap Cleaners Policy Revision 2 (September 2002) Case ID No. 31166 PCW Revision May 19, 2005 Reg. Ent. Reference No. RN103960852 Media [Statute] Drycleaner Enf. Coordinator Cari-Michel La Caille **Violation Number** 30 Tex. Admin. Code § 337.10(a) Primary Rule Cite(s) Tex. Health & Safety Code § 374.102 Secondary Rule Cite(s) The respondent failed to complete and submit the required registration **Violation Description** form to the TCEQ for a dry cleaning and/or drop station facility. **Base Penalty** \$50 Environmental, Property and Human Health Matrix >> Harm Release Major Moderate OR Actual Percent Potential **Programmatic Matrix** >> Falsification Major Moderate 10% Percent Matrix Notes 100% of the rule requirement was not met. -\$45 Adjustment \$5 Base Penalty Subtotal **Violation Events** Number of Violation Events 237 daily monthly **Violation Base Penalty** \$1,185 mark only one quarterly use a small x semiannual annuai ngle event Two hundred thirty-seven daily events are recommended from the September 1, 2005 deadline to the April 26, 2006 deadline established by the TCEQ letter dated March 24, 2006. Economic Benefit (EB) for this violation **Statutory Limit Test** \$1,185 \$13 Violation Final Penalty Total **Estimated EB Amount** 

This violation Final Assessed Penalty (adjusted for limits)

\$1,185

## **Economic Benefit Worksheet**

Respondent Katy Crystal Cleaners, Inc. dba Gap Cleaners

Case ID No. 31166

Reg. Ent. Reference No. RN103960852

Media [Statute] Drycleaner

Violation No. 1

Percent	Years of
Interest	Depreciation
5.0	15

Item	Date	Final	Yrs	Interest	Onetime		EB
				morope	Onegnie		LD
Cost	Required	Date		Saved	Costs		Amount
commas or \$		x					
			0.0	. \$0		\$0	\$0
And a second sec			0.0	\$0		\$0	\$0
			0.0	\$0		\$0	\$0
			0.0	\$0		\$0	\$0
		The control of the co	0.0	\$0	n/a		\$0
AMERICAN METHOD INCOMES OF PRINT AND A PART OF THE PAR	The state of the s	CONTRACTOR	0.0	\$0	n/a		\$0
	,		0.0	\$0	'n/a		\$0
i		1	0.0	\$0	n/a		\$0
\$250	01-Sep-2005	15-Sep-2006	1.0	\$13	n/a		\$13,
. THOUSEN ANY TANKE PROPERTY OF THE PARTY OF			0.0	\$0	n/a		\$0
	\$250	\$250 01-Sep-2005	\$250 01-Sep-2005 15-Sep-2006	\$250 01-Sep-2005 15-Sep-2006 1.0	\$0.0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	0.0   \$0   0.0   \$0.0   \$0   0.0   \$0   0.0   \$0   0.0   \$0   0.0   \$0   0.0   \$0   0.0   \$0   0.0   \$0   0.0   \$0   0.0   \$0   0.0   \$0   0.0   \$0.0   \$0   0.0	0.0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Notes for DELAYED costs

e estimated cost to register a dry cleaning or drop station facility annually. The date required is the date that the completed registration form was due and the final date is the date the respondent came into compliance.

Avoided Costs	ANNUALIZE [1] avoided o	osts before entering item (ex	cept for one-time	e avoided costs)	
' Disposal		0.0	\$0	<b>\$</b> 0	\$0
Personnel		0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling		0.0	\$0	\$0	\$0
Supplies/equipment		0.0	\$0	\$0	\$0
Financial Assurance [2]		0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]		0.0	\$0	\$0	\$0
Other (as needed)		0.0	\$0	\$0	\$0
Notes for AVOIDED costs			The second secon		

Approx. Cost of Compliance

\$250

TOTAL [

\$13

# **Compliance History**

Custom	er/Respondent/Owner-Ope	erator:	CN603075268	KATY	CRYSTAL CLEANE	ERS, INC.	Classification	: AVERAGE	Rating: 3.01
Regulated Entity:		RN103960852	GAP (	CLEANERS		Classification DEFAULT	: AVERAGE BY	Site Rating: 3.01	
ID Num	ber(s):		INDUSTRIAL AN GENERATION	ID HAZAF	RDOUS WASTE	EPA ID			TXR000073106
Location:			11571 S HIGHWAY 6, SUGAR LAND, TX, 77478				Rating Date: September 01 06 Repeat Violator:		
TCEQ F	Region:		REGION 12 - HO	USTON					
Date Co	ompliance History Prepare	d:	October 10, 2006					,	
Agency	Decision Requiring Comp	liance History:	Enforcement						
Complia	ance Period:		October 10, 2001	to Octob	er 10, 2006				
TCEQ S	Staff Member to Contact fo	r Additional Info	rmation Regarding t	his Comp	liance History				
Name:	Cari-Michel La C	Caille	Ph	one:	512-239-1387				
			Site C	ompliar	nce History Com	ponents			
1. Has t	he site been in existence a	and/or operation	for the full five year	compliar	nce period?	Yes	•		
2. Has t	here been a (known) chan	ge in ownership	of the site during th	ne complia	ance period?	No			
3. If Yes	s, who is the current owner	?				N/A			
4. if Ye	s, who was/were the prior	owner(s)?				N/A			
5. Whe	n did the change(s) in owr	ership occur?				N/A			
Comp	onents (Multimedia) fo	or the Site :							
A.	Final Enforcement Ord	ers, court judgei	ments, and consent	decrees	of the state of Texa	s and the feder	al government.		
	N/A								
В.	Any criminal conviction	s of the state of	Texas and the fede	ral gover	nment				
<b>D</b> .	N/A	of the state of	·	nai govon					
C.	Chronic excessive emi	ssions events.							
·	N/A								
D.	The approval dates of	investigations. (	CCEDS Inv. Track.	No.)					
<b>.</b>	N/A 1 08/11/2006	(497310)		,			• .		
E.	Written notices of viola	tions (NOV) (C	CEDS Inv. Track N	o )					
L.	Witten Houses of Viole		OLDO IIIV. TIdok. IV	0.,					
	N/A								
F.	Environmental audits.								
G.	Type of environmental	management sy	ystems (EMSs).						
	N/A								
H.	Voluntary on-site comp	oliance assessm	ent dates.						
	N/A								
1.	Participation in a volur	ntary pollution re	duction program.						
	N/A								
J.	Early compliance.								
	N/A				•				
Sites 0	Outside of Texas		*						
	N/A								

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# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	
KATY CRYSTAL CLEANERS, INC.	§	TEXAS COMMISSION ON
DBA GAP CLEANERS	§	
RN105024178, RN104994819,	§	
RN103960852	§	ENVIRONMENTAL QUALITY

#### AGREED ORDER DOCKET NO. 2006-1587-DCL-E

#### I. JURISDICTION AND STIPULATIONS

At its \_\_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Katy Crystal Cleaners, Inc. dba Gap Cleaners ("Katy Crystal Cleaners") under the authority of TEX. HEALTH & SAFETY CODE ch. 374 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and Katy Crystal Cleaners appear before the Commission and together stipulate that:

- 1. Katy Crystal Cleaners owns and operates either a dry cleaning drop station and/or dry cleaning facility at the following locations (the "Facilities"):
  - a. Gap Cleaners, 890 South Mason Road, Suite D, Katy, Harris County, Texas ("Facility 1").
  - b. Gap Cleaners, 403 Highway 6 South, Suite F, Sugar Land, Fort Bend County, Texas ("Facility 2").
  - c. Gap Cleaners, 11571 South Highway 6, Sugar Land, Fort Bend County, Texas ("Facility 3").
- 2. The TCEQ has general authority to regulate the Facilities pursuant to TEX. HEALTH & SAFETY CODE § 374.051.
- 3. The Commission and Katy Crystal Cleaners agree that the Commission has jurisdiction to enter this Agreed Order, and that Katy Crystal Cleaners is subject to the Commission's jurisdiction.
- 4. Katy Crystal Cleaners received notices of the violations alleged in Section II ("Allegations") on or about September 5, 2006, September 3, 2006 and September 6, 2006.

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Katy Crystal Cleaners, Inc. dba Gap Cleaners DOCKET NO. 2006-1587-DCL-E Page 2

- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Katy Crystal Cleaners of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 6. An administrative penalty in the amount of Three Thousand Five Hundred Fifty-Five Dollars (\$3,555) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Katy Crystal Cleaners has paid Seven Hundred Eleven Dollars (\$711) of the administrative penalty and Seven Hundred Eleven Dollars (\$711) is deferred contingent upon Katy Crystal Cleaners' timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Katy Crystal Cleaners fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the penalty payment, the Executive Director may require Katy Crystal Cleaners to pay all or part of the deferred penalty.

The remaining amount of Two Thousand One Hundred Thirty-Three Dollars (\$2,133) of the administrative penalty shall be payable in 3 monthly payments of Seven Hundred Eleven Dollars (\$711) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If Katy Crystal Cleaners fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of Katy Crystal Cleaners to meet the payment schedule of this Agreed Order constitutes the failure by Katy Crystal Cleaners to timely and satisfactorily comply with all the terms of this Agreed Order.

- 7. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director of the TCEQ and Katy Crystal Cleaners have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- The Executive Director recognizes that Katy Crystal Cleaners completed and submitted the required registration form to the TCEQ for Facility 3 on September 15, 2006.
- 10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Katy Crystal Cleaners has not complied with one or more of the terms or conditions in this Agreed Order.
- 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

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#### II. ALLEGATIONS

As owner and operator of the Facilities, Katy Crystal Cleaners is alleged to have:

- 1. Failed to complete and submit the required registration form to the TCEQ for Facility 1, in violation of 30 Tex. ADMIN. CODE § 337.10(a) and Tex. Health & Safety Code § 374.102, as documented during an investigation conducted on May 26, 2006.
- 2. Failed to complete and submit the required registration form to the TCEQ for Facility 2, in violation of 30 Tex. ADMIN. CODE § 337.10(a) and Tex. Health & Safety Code § 374.102, as documented during an investigation conducted on May 30, 2006.
- 3. Failed to complete and submit the required registration form to the TCEQ for Facility 3, in violation of 30 Tex. ADMIN. CODE § 337.10(a) and Tex. HEALTH & SAFETY CODE § 374.102, as documented during an investigation conducted on May 25, 2006.

#### III. DENIALS

Katy Crystal Cleaners generally denies each allegation in Section II ("Allegations").

#### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Katy Crystal Cleaners pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Katy Crystal Cleaners' compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Katy Crystal Cleaners, Inc. dba Gap Cleaners, Docket No. 2006-1587-DCL-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. It is further ordered that Katy Crystal Cleaners shall undertake the following technical requirements:
  - a. Within 15 days after the effective date of this Agreed Order, complete and submit the required dry cleaner and/or drop station registration forms for Facilities 1 and 2, in accordance with 30 TEX. ADMIN. CODE ch. 337 to:

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Katy Crystal Cleaners, Inc. dba Gap Cleaners DOCKET NO. 2006-1587-DCL-E Page 4

> Dry Cleaning Registration Team Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

b. Within 30 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision 2.a. as described below:

The certification shall, include detailed supporting documentation including receipts, and/or other records to demonstrate compliance, be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Manager, Waste Section Houston Regional Office Texas Commission on Environmental Quality 5425 Polk Avenue, Suite H Houston, Texas 77023-1486

- 3. The provisions of this Agreed Order shall apply to and be binding upon Katy Crystal Cleaners. Katy Crystal Cleaners is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facilities operations referenced in this Agreed Order.
- 4. If Katy Crystal Cleaners fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Katy Crystal Cleaners' failure to comply is not a violation of this Agreed Order. Katy Crystal Cleaners shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Katy Crystal Cleaners shall notify the Executive Director within seven days after Katy Crystal Cleaners becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Katy Crystal Cleaners shall be made in

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writing to the Executive Director. Extensions are not effective until Katy Crystal Cleaners receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

- 6. This Agreed Order, issued by the Commission, shall not be admissible against Katy Crystal Cleaners in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 8. Under 30 Tex. Admin. Code § 70.10(b), the effective date is the date of hand-delivery of the Order to Katy Crystal Cleaners, or three days after the date on which the Commission mails notice of the Order to Katy Crystal Cleaners, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

10 2007 10:08AM

TCEO Enforcement

Fax: 512-239-0036

May 7 2007 P. 02

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Katy Crystal Cleaners, Inc. dba Gap Cleaners: DOCKET NO. 2006-1587-DCL-E Page 6

## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency:
- Increased penalties in any future enforcement actions against me:
- Automatic referral to the Attorney General's Office of any future enforcement actions against
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Signature

Title

PRESIDENT

Name (Printed or typed)

Authorized Representative of

Katy Crystal Cleaners, Inc. dba Gap Cleaners

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph I of this Agreed Order.